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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/739,143	12/18/2000	Koichi Hata	MAT-8070US	9841

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EXAMINER

VAUGHN, GREGORY J

ART UNIT	PAPER NUMBER
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2178

DATE MAILED: 04/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/739,143

Applicant(s)

HATA ET AL.

Examiner

Gregory J. Vaughn

Art Unit

2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 February 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Application History

1. This action is responsive to the Request for Continued Examination, filed on 2/13/2006.
2. Applicant has amended claims 1-5, 7-13, 15-21 and 23-25.
3. Claims 1-25 are pending in the case, claims 1, 5, 7-9, 13, 15-17, 21 and 23-25 are independent claims.
4. A request for continued examination filed under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after a final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office Action (dated 3/1/2005) has been withdrawn pursuant to 37 CFR 1.114.
5. The examiner's rejection of claim 25, made under 35 USC 132 and the first paragraph of 35 USC 112 (as recited in the office action dated 3/1/2005) is withdrawn in view of applicant's remarks from the appeal brief (filed on 10/3/2005)

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

"(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made."

7. Claims 1-4, 9-12, 17-20 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Li et al. US Patent 6,345,279, filed 4/23/1999, patented 2/5/2002, (hereinafter "Li").

8. **Regarding independent claim 1**, Li discloses determining whether to divide a region of the document image data according to dividing information that indicates whether a data amount of the region is subject to reduction. Li Recites: *"The transcoding process 250 can convert the input modality associated with the content item to a new modality such as, for example, text to audio, or audio to text. Alternatively, the transcoding process can summarize, compress, or elaborate on the content within the given modality of the input data such as, for example, by image compression or text summarization. Further, it is to be appreciated that transcoding processes may alternatively be performed in accordance with the techniques described in U.S. patent application Ser. No. 09/413,515, entitled: "Method and Apparatus For Transcoding Multimedia Using Content Analysis," filed*

in the names of Li et al. on Oct. 6, 1999, which claims priority to U.S. provisional patent application Ser. No. 60/103,303, entitled: "Method and Apparatus For Transcoding Multimedia Using Content Analysis," filed in the names of Li et al. on Oct. 6, 1998, the disclosure of which is incorporated herein by reference" (column 4, lines 33-49; The patent application described in the quote is now US Patent 6,970,602).

Support for the determining step can be found in the 6,970,603 patent at column 4, lines 11-16, where Li recites: *"In accordance with the inventive method, the processes running in the transcoding system determine the mismatch between the delivery, display, processing and storage requirements of the content and the constraints of the delivery system and of the client device, and then adapt the content accordingly."* See also Figure 9 of the 6,970,602 patent, where the size amount of the document image data is shown.

Li discloses dividing the region of the document image data element into sub-elements in Figure 2 of the 6,970,602 patent at reference sign 201 (shown as "Multimedia Object Separation"). The invention of Li is based upon markup languages, which inherently are parsed into tree structures during processing. Again see Figure 9 of the 6,970,602 patent, where the size amount of the document image data is shown.

Li discloses in Figure 8 of the 6,970,602 patent, processing the sub-elements based upon the kind of data of the sub-element. In the figure, the sub-element is analyzed to determine it's kind (i.e. a color image, b/w image, gray-scale image etc.).

Li discloses a renewed structure image data (shown as "*Customized Document*") at reference sign 370 of Figure 3 (of the 6,345,279 patent). Li discloses outputting the renewed structure image data in Figure 3 at reference sign 370 (shown as "*Customized Document*").

Li discloses a structured image data processing method where the structured image data items are divided, processed and renewed as described above. Li fails to explicitly describe the starting coordinate of the structured image data items and their sub-elements. However, Li discloses in Figure 3 (of the 6,345,279 patent), the discrete position of structured image data items through the method processing, as shown by the position of the image data items (shown as "*Content Items*") in steps shown at reference sign 100 (original content division step) to reference sign 340 (processing step) to reference sign 370 (renewed content step). In each step, the relative position of the sub-elements of the multimedia document is maintained and would therefore require an anchoring position or starting coordinate.

Therefore, it would have been obvious, to one of ordinary skill at the time the invention was made to use Li's content adaptation of multimedia information with positioning control in order to provide "*an adaptation process that selects the best representation to meet the client capabilities while delivering the most value to the client*" (Li, column 2, lines 50-52).

9. **Regarding dependent claim 2**, Li recites: "*Some exemplary transcoding processes 250 are listed below by modality of the version and the conversions performed to generate versions at different resolutions and modalities: (i) images:*

resolution--spatial size reduction, color depth reduction" (column 5, lines 27-32) and Li further discloses equations in columns 7 and 8 where the difference between the original and various versions of the image data item are determined.

10. **Regarding dependent claim 3**, Li recites: *"Further, the invention permits content to be authored in XML (Extensible Markup Language, as is known in the art), allowing the author to provide more information to the transcoding and adaptation systems than can be deduced from an HTML (hyper text markup language) page. One benefit of the server-based system of the invention is that due to the guidance provided by the author, a significantly greater level of customization can be performed than is possible in previous transcoding proxies"* (column 2 line 63 to column 3, line 4) and *"For example, in image search engines, the match scores of the returned images serve as priorities. Priorities can be assigned based on match scores for various dynamically generated pages"* (column 7, lines 11-14)
11. **Regarding dependent claim 4**, Li recites: *"The InfoPyramid may include procedures and rules for translating and summarizing (transcoding) between modalities and resolutions. The InfoPyramid may also contain meta-data for each constituent version such as, for example, size, color, bandwidth requirements, publisher preferences, etc"* Column 5, lines 1-5) and *"The present invention adapts multimedia content, e.g., Web documents, to optimally match the capabilities of the client device requesting it. Each Web document is a set of items, each of which is authored in a particular modality such as text or image"* (column 2, lines 20-24).

12. **Regarding independent claims 9 and 17**, the claims are directed toward an apparatus and a computer program (respectively) for the method of claim 1, and are rejected using the same rationale.
13. **Regarding dependent claims 10 and 18**, the claims are directed toward an apparatus and a computer program (respectively) for the method of claim 2, and are rejected using the same rationale.
14. **Regarding dependent claims 11 and 19**, the claims are directed toward an apparatus and a computer program (respectively) for the method of claim 3, and are rejected using the same rationale.
15. **Regarding dependent claims 12 and 20**, the claims are directed toward an apparatus and a computer program (respectively) for the method of claim 4, and are rejected using the same rationale.
16. **Regarding independent claim 25**, Li discloses producing a tree-structured data representation of a document, dividing the document into plural regions, calculating data amounts of document regions, replacing a region of the document, and outputting the document as described above. Li further discloses processing the bit map image of the document. Li recites: *"Some exemplary transcoding processes 250 are listed below by modality of the version and the conversions performed to generate versions at different resolutions and modalities: (i) images; resolution-spatial size reduction, color depth reduction, lossy/lossless compression"* (column 5, lines 27-34).

17. Claims 5-8, 13-16 and 21-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Li in view of Fields et al. US Patent 6,606,120, filed 12/10/1998, patented 8/1282003, (hereinafter "Fields").
18. **Regarding independent claim 5**, Li discloses a structured image data processing method where the structured image data items are determined, divided, processed, renewed and outputted as described above. Li also teaches positioning and data amount, as described above. Li fails to disclose the use of replaced media dividing information. Fields teaches the use of replaced media dividing information. Fields discloses in Figure 5A at reference sign 421, the replaced media dividing information (shown as "*Apply Filter Definition*").

Therefore, it would have been obvious, to one of ordinary skill in the art, at the time the invention was made, to combine the multimedia content adaptation of Li with the dividing information as taught by Fields, in order "*to develop a filter for extracting desired content elements from a set of web pages*" (Fields, column 2, lines 45-46).

19. **Regarding dependent claim 6**, Li discloses a structured image data processing method where the structured image data items are divided, processed and renewed as described above. Li also teaches positioning as described above. Li and Fields disclose the use of replaced media dividing information. Li fails to disclose the media dividing information as text. Fields discloses the use of text as the media dividing

information. Fields disclose in Figure 5B at reference sign 459 the use of text to divide (shown as *"Parse Page According To Embedded Tags And/Or Defaults"*).

Therefore, it would have been obvious, to one of ordinary skill in the art, at the time the invention was made, to combine the multimedia content adaptation of Li with the dividing information as taught by Fields, in order to provide the benefit of *"automatically update material on the hosting web site as it is changes on the content provider web sites"* (Fields, column 2, lines 54-56).

20. **Regarding independent claims 7 and 8**, Li discloses a structured image data processing method where the structured image data items are divided, processed, renewed and outputted as described above. Li also teaches positioning as described above. Li discloses the use of scores as described above. Li fails to disclose the use of a first and second input. Fields discloses the use of multiple inputs. Fields discloses multiple inputs in Figure 8 at reference sign 801 (shown as *"Multiple Copies of Target URL"*).

Therefore, it would have been obvious, to one of ordinary skill in the art, at the time the invention was made, to combine the multimedia content adaptation of Li with the dividing information as taught by Fields, in order to provide the benefit of *"automatically update material on the hosting web site as it is changes on the content provider web sites"* (Fields, column 2, lines 54-56).

21. **Regarding independent claims 13 and 21**, the claims are directed toward an apparatus and a computer program (respectively) for the method of claim 5, and are rejected using the same rationale.
22. **Regarding dependent claims 14 and 22**, the claims are directed toward an apparatus and a computer program (respectively) for the method of claim 6, and are rejected using the same rationale.
23. **Regarding dependent claims 15 and 23**, the claims are directed toward an apparatus and a computer program (respectively) for the method of claim 7, and are rejected using the same rationale.
24. **Regarding dependent claims 16 and 24**, the claims are directed toward an apparatus and a computer program (respectively) for the method of claim 8, and are rejected using the same rationale.

Response to Arguments

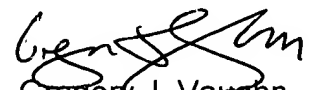
25. Applicant's arguments filed 2/13/2006 have been fully considered but they are not persuasive.
26. **Regarding independent claim 1**, the applicant recites: *"features which are neither disclosed nor suggested by LI, namely: determining whether to divide a region ... according to dividing information that indicates whether a data amount of said region is subject to reduction; ... processing ... sub-elements to reduce a data amount of the document-image based on respective kinds of data of the sub-elements"* (amendment filed 2/13/2006, page 3, fifth paragraph). Applicant is directed to the rejection of claim 1, as stated above. Li discloses dividing the region of the document image data element into sub-elements in Figure 2 of the 6,970,602 patent at reference sign 201 (shown as "Multimedia Object Separation"). Li discloses in Figure 8 of the 6,970,602 patent, processing the sub-elements based upon the kind of data of the sub-element. In the figure, the sub-element is analyzed to determine it's kind (i.e. a color image, b/w image, gray-scale image etc.).

Conclusion

27. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory J. Vaughn whose telephone number is (571) 272-4131. The examiner can normally be reached Monday to Friday from 8:00 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen S. Hong can be reached at (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is (571) 272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Gregory J. Vaughn
April 26, 2005